

## HAZARDOUS WASTE FULL QUANTITY GENERATOR REQUIREMENTS IN NEW HAMPSHIRE



*as provided in New Hampshire's Hazardous Waste Rules, Env-Wm 100-1000*

**I. FULL QUANTITY GENERATOR DEFINITION AS PER ENV-WM 503.02:** A full quantity generator shall be any generator who, in each and every calendar month:

- A. Generates equal to or greater than a total of 100 kg (220 lbs.) of hazardous waste in any single month; or
- B. Generates equal to or greater than 1 kg (2.2 lbs.) of an acutely hazardous waste in any single month; or
- C. Accumulates equal to or greater than 1 kg (2.2 lbs.) of an acutely hazardous waste at any time; or
- D. Generates equal to or greater than 100 kg (220lbs.) of spill cleanup material contaminated with hazardous waste in any single month; or
- E. Accumulates equal to or greater than 100 kg (220 lbs.) of spill cleanup material contaminated with acutely hazardous waste at any time.

**II. REQUIREMENTS FOR FULL QUANTITY WASTE GENERATORS (FQGs):**

- A. Hazardous waste determination as per Env-Wm 502.01: All generators of a waste shall determine if their waste is a hazardous waste.
- B. Notification as per Env-Wm 504.01: All generators shall notify DES prior to conducting any hazardous waste activities covered under the Hazardous Waste Rules.
- C. Identification Numbers as per Env-Wm 505.01: A generator shall not treat, store, dispose, transport, or offer a hazardous waste for transportation without having received an EPA identification number, or a provisional identification number.
- D. Environmental and Health requirements as per Env-Wm 506.01: While accumulating hazardous wastes, the generator shall not use storage practices that pose a hazard to human health or the environment.

E. Storage requirements as per Env-Wm 507.01 and Env-Wm 509.02:

- 1) All hazardous waste shall be placed in appropriate containers or tanks and remain closed at all times except to add or remove wastes;
- 2) All hazardous waste shall be stored on impervious surfaces;
- 3) All hazardous waste shall not be stored in areas with functional floor drains or in or near a sink with a functional drain present, or manholes, unless adequate secondary containment is provided;
- 4) Generators must make regular inspections of all hazardous waste storage areas (weekly for containers/daily for tanks);
- 5) Generators must provide personnel training in hazardous waste management by either an outside trainer or in-house employee provided he/she has been adequately trained;
- 6) Generators must meet general requirements for storing ignitable, reactive or incompatible wastes;
- 7) Generators must comply with 40 CFR Part 265 Subpart C. Preparedness and Prevention, including maintaining spill control, equipment and fire control, equipment at or near each waste storage area, "no smoking" signs near ignitable wastes, and a minimum of 2 feet of aisle space shall be maintained to allow inspection of at least one side of each container;
- 8) Generators must have a written contingency plan detailing emergency procedures;
- 9) Generators must comply with 40 CFR 265 Subpart I detailing use and management of containers;
- 10) Generators must comply with 40 CFR 265 Subpart J detailing the use of tank systems.
- 11) Full Quantity Generators shall post a list of the steps to take if an emergency occurs and emergency numbers at the telephone nearest to each hazardous waste storage area. This information shall include:
  - (a) Emergency coordinator's home and office phone numbers;
  - (b) Phone numbers for local response teams; and
  - (c) Location of fire extinguishers, spill control equipment, and fire alarms.

F. Additional Requirements for Outside Storage:

- 1) Generators must provide an artificial or natural barrier preventing unauthorized entry;
- 2) Generators must provide a means to control entry;

- 3) A sign with the legend "Danger- Unauthorized Personnel Keep Out" must be posted at the entrance; and
- 4) All hazardous waste stored outside shall be kept covered and shall not be stored within 50 feet of surface water.

G. Storage Time Requirements as per Env-Wm 507.02:

A Full Quantity Generator may accumulate hazardous waste that is generated on-site without a permit provided that hazardous waste containers and tanks are managed accordingly and the wastes are shipped off-site within ninety (90) days of the date when accumulation of the waste first began except as provided in Env-Wm 509.03 or under the terms of a waiver or extension granted by DES.

H. Packaging/ Labeling/ Pre-transport as per Env-Wm 507.03:

- 1) Containers and tanks used for the storage of hazardous wastes shall be clearly labeled or marked with the following information at the time they are first used to store wastes:
  - (a) The beginning accumulation date;
  - (b) The words "hazardous waste";
  - (c) Words that identify the contents of the container; and
  - (d) The EPA or State waste number.
- 2) Hazardous waste labels shall not be hidden by walls or other containers;
- 3) Before transporting or offering hazardous waste for transportation off-site, the generator shall properly package the waste and mark and label each container in accordance with US DOT regulations;
- 4) Before offering hazardous wastes for transportation off-site, the generator shall determine that the transporter is a registered N.H. hazardous waste transporter with an EPA ID number and that each vehicle is placarded with an appropriate warning of the hazardous waste contained therein in compliance with rules adopted by the New Hampshire Department of Safety.

I. Delivery of hazardous waste as per Env-Wm 511.01: The wastes shall be transported off-site to an authorized facility, using an 8-part prenumbered EPA/DOT uniform hazardous waste manifest, by a New Hampshire permitted transporter in accordance with the manifest requirements of Env-Wm 510.

J. Recordkeeping and Reporting Requirements as per Env-Wm 512:

- 1) Generators shall keep manifest copies and copies of each annual report, quarterly activity report, exception report, notification of intent to export, EPA acknowledgement of

Consent, any test results, waste analysis, or other wastes determinations and any records of any hazardous waste spills or discharges, for at least three (3) years;

- 2) Generators shall submit quarterly reports as per Env-Wm 512.02. Generators who export hazardous waste shall file an annual report as per Env-Wm 512.03.

K. Emergency/Remedial Action as per Env-Wm 513.01 and Env-Wm 513.02:

- 1) Any discharge of hazardous waste that poses a threat to human health or the environment resulting from a generator's activity shall be reported:
  - (a) Immediately to the DES at (603) 271-3899, Monday through Friday, 8 AM to 4 PM or the NH Department of Safety HAZMAT Unit at 1 (800) 346-4009, 24 hours/day; and
  - (b) Immediately to the municipality or other governmental subdivision in which the discharge occurs.
- 2) The generator shall comply with the emergency procedures as specified in 40 CFR 265.56
- 3) The generator shall be responsible for the cleanup of any discharge of hazardous waste or hazardous material which becomes a hazardous waste within 24 hours. If the discharge cannot be cleaned up within 24 hours, the generator shall submit to the DES within 5 days a clean up plan, which provides for:
  - (a) The protection of human health and the environment;
  - (b) The removal and proper disposal of the contamination source;
  - (c) Confirmatory analysis of the potentially affected media; and
  - (d) Includes a timetable for completion of the clean up plan.

All clean up actions shall follow the requirements per Env-Wm 513.02.

L. Exporters of Hazardous Waste (International Shipments) as per Env-Wm 510.06:

- 1) Generators shall notify EPA in writing sixty (60) days before an intended export of hazardous waste. (This notification may cover export activities up to twelve (12) month period.)
- 2) Prior to the initial shipment covered by the notification period, exporters shall receive an "EPA acknowledgment of Consent". A copy shall accompany shipment;
- 3) One copy of each manifest shall be retained by the U.S. Customs Official at the point of departure from the United States.

III. **SATELLITE STORAGE REQUIREMENTS AS PER ENV-WM 509.03:** A Full Quantity Generator may accumulate as much as 55 gallons of hazardous waste or 1 quart of acutely hazardous waste, as identified in Env-Wm 400, in containers at or near any point of generation where wastes initially accumulate without a standard permit or interim permit, and without complying with the 90 day accumulation time limit specified in Env-Wm 507.02 provided that:

- 1) The hazardous waste containers are under the control of the operator of the process generating the waste;
- 2) The operator of the process generating the waste has been trained as specified in Env-Wm 509.02;
- 3) All environmental and health requirements specified in Env-Wm 506 are met;
- 4) The storage requirements of Env-Wm 507.01 are met;
- 5) The containers are marked with the following information at the time they are first used to store wastes:
  - (a) The words "hazardous waste";
  - (b) Words identifying the contents of the containers;
- 6) For satellite storage areas that have accumulated greater than 10 gallons of hazardous waste, the container(s) shall be inspected monthly for leaks or deterioration
- 7) When the generator has accumulated wastes at the point of generation subsequent to reaching the 55-gallon or 1-quart maximum, the generator shall:
  - (a) Mark any container holding excess accumulation with the date the excess amount began accumulating;
  - (b) Move the accumulated wastes to a designated storage area within 3 days of exceeding the accumulation limit; and
  - (c) Ship the excess accumulation of hazardous waste off-site within 90 days of the date of excess accumulation.

*This Summary provides general information only. Should there be additional questions, please contact the New Hampshire Department of Environmental Services, Waste Management Division (DES) at (603) 271-2942. For a complete description of the requirements, refer to New Hampshire's Hazardous Waste Rules, Env-Wm 100-1000, which may be obtained by contacting the Public Information Center, DES, at (603) 271-2975, or the website for the New Hampshire Department of Environmental Services at [www.des.state.nh.us](http://www.des.state.nh.us).*